

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 \$196,634 SEIZED FROM CITYWIDE,)
 BANK ACCOUNT ENDING IN 9662,)
)
 and)
)
 \$3,648,375 SEIZED FROM CITYWIDE,)
 BANK ACCOUNT ENDING IN 8557,)
)
 Defendants In Rem.)
 _____)

Civil No. 1:21-cv-0561

**CLAIMANTS STERLING NCP FF, LLC AND MANASSAS NCP FF, LLC
MOTION TO DISMISS THE
VERIFIED COMPLAINT FOR FORFEITURE**

Claimants Sterling NCP FF, LLC and Manassas NCP FF, LLC, through undersigned counsel, files this motion to dismissed the Verified Complaint for Forfeiture (hereinafter “Complaint”), pursuant to Federal Rule of Civil Procedure 12(b)(6) and Rules G(2)(f) and G(5)(b) of the Supplemental Rules of Admiralty or Maritime Claims and Asset Forfeiture Actions, because the Complaint fails to state a claim for forfeiture of the \$196,634 seized from Citywide Bank account ending in 9662 and \$3,648,375 seized from Citywide Bank account ending in 8557 at issue. Claimant’s Memorandum in support of the Motion is filed herewith.

Dated: July 27, 2021

Respectfully submitted.

s/ Jeffrey R. Hamlin

Jeffrey R. Hamlin (Va. Bar No. 46932)

George R. Calhoun (*pro hac vice*)

James Trusty (*pro hac vice*)

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Counsel for Claimants Sterling NCP FF,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of July, 2021, a copy of the foregoing Motion to Dismiss was filed and served electronically by the Court's CM/ECF system upon all registered users.

s/ Jeffrey R. Hamlin

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